

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MALIK MIAH, :
: Plaintiff,
: :
: -against- : 21Civ. 01632 (KAM)(TAM)
: :
HILLSIDE HOTEL LLC and SHAN SINGH TINNA, :
: Defendants. :
----- X

NOTICE OF ACCEPTANCE OF RULE 68 OFFER OF JUDGMENT

Pursuant to Rule 68 of the Federal Rules of Civil Procedure ("Rule 68"), Plaintiff Malik Miah accepts Defendants' Offer of Judgment dated December 10, 2021. A copy of Defendants' Rule 68 Offer of Judgment is attached as Exhibit A.

Dated: New York, New York
December 10, 2021

PECHMAN LAW GROUP PLLC

By: 
Laura Rodriguez
488 Madison Avenue, 17th Fl.
New York, New York 10022
Telephone: (212) 583-9500
pechman@pechmanlaw.com
Attorneys for Plaintiffs

TO: Aaron M. Rubin, Esq.
99 Wall Street Suite 1130
New York, NY 10005
Tel.: (212) 725-4600
arubin@amresquire.com
Attorney for Defendants

EXHIBIT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MALIK MIAH,

21-CV-01632 (KAM)(TAM)

Plaintiff,

-against-

**RULE 68
OFFER OF JUDGMENT**

HILLSIDE HOTEL LLC and SHAN SINGH TINNA,

Defendants.

Defendants Hillside Hotel LLC and Shan Singh Tinna, (“Defendants”), by their attorney, Aaron M. Rubin, offers to allow judgment to be taken against them as to all claims against the Defendants in this action by Plaintiffs Malik Miah, (“Plaintiff”), for thirty thousand dollars and zero cents (\$30,000.00), inclusive of reasonable attorney’s fees and costs accrued as of this date and apportioned to the legal representation of Plaintiff. Plaintiff’s acceptance of this offer of judgment is in full and final satisfaction and resolution of all claims (federal and state), including claims for unpaid wages, liquidated damages, statutory damages and interest under the Fair Labor Standards Act and New York Labor Law asserted against Defendants in this action.

This offer is made pursuant to Rule 68 of the Federal Rules of Civil Procedure, and evidence of it is not admissible except in a proceeding to determine costs. This offer of judgment is being made for the sole purpose of avoiding protracted litigation. This offer of judgment is not to be construed either as an admission that Defendants are liable in this action, or that Plaintiff has suffered any damages. This offer of judgment shall be kept confidential to the fullest extent permitted by law. Plaintiff’s acceptance of this offer of judgment will act to fully and finally release and discharge Defendants, their successors, assigns, and all past and present officers, directors, owners,

employees, representatives, and agents from any and all claims and damages, including fees and costs, that were or could have been alleged or recovered by Plaintiff in the above-captioned action up to the date of the acceptance of this Offer of Judgment, including, without limitation, any and all claims under the New York Labor Law and the Fair Labor Standards Act.

Pursuant to Rule 68, this Offer of Judgment shall be deemed withdrawn unless Plaintiff serves written notice of his acceptance within fourteen (14) days of the date on which this Offer of Judgment was served.

s/
Aaron M. Rubin, Esq.

Dated: New York, New York
December 10, 2021

99 Wall Street Suite 1130
New York, NY 10005
Tel.: (212) 725 - 4600
Attorney for Defendants

To: (*via email*)
Louis Pechman, Esq.
Laura Rodriguez, Esq.
Pechman Law Group PLLC
488 Madison Avenue, 17th Floor
New York, New York 10022
Tel: (212) 583-9500

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MALIK MIAH, :
Plaintiff, : **21Civ. 01632 (KAM)(TAM)**
:-----
-against- :
HILLSIDE HOTEL LLC and SHAN SINGH TINNA, :
Defendants. :
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**AFFIDAVIT OF SERVICE
OF PLAINTIFFS'
ACCEPTANCE OF OFFER
OF JUDGMENT**

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Laura Rodriguez, an attorney duly admitted to practice before this Court and member of the Bar of the State of New York, being duly sworn, deposes and says:

I am over 18 years of age, reside in New York County, New York, and am not a party to this action.

On December 10, 2021, I served Plaintiff's Acceptance of Defendants' Rule 68 Offer of Judgment in the above-referenced matter by email and ECF to the following designated attorney for Defendants who is authorized to accept service on their behalf:

Aaron M. Rubin, Esq.
99 Wall Street Suite 1130
New York, NY 10005
Tel.: (212) 725-4600
arubin@amresquire.com

Counsel for Defendants Hillside Hotel LLC and Shan Singh Tinna

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.



Laura Rodriguez